

DOCKET NO.: MSFT-0593/158452.1

PATENT

2100  
#2  
S. Sand  
8/9/01  
Received  
AUG 06 2001  
Technology Center 2100

- 1 -

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Kenamer, et al.

Serial No.: 09/681,309

Group Art Unit: not assigned

Filed: March 16, 2001

Examiner: not assigned

For: FAILOVER OF SERVERS OVER WHICH DATA IS PARTITIONED

BOX DSD  
Commissioner of Patents & Trademarks  
Washington, DC 20231

Microsoft Patent Dept.

JUN 15 2001

Sir:

D PD ND By: \_\_\_\_\_

**POWER OF ATTORNEY WITH REVOCATION  
AND STATEMENT UNDER 37 CFR 3.73(b)**

Revoking any and all powers of attorney heretofore given in the matter of the above-entitled application, the undersigned, assignees of the entire interest in the above-identified application, hereby appoints **STEVEN J. ROCCI**, Registration No. **30,489**, of the firm of **WOODCOCK WASHBURN KURTZ MACKIEWICZ & NORRIS LLP**, One Liberty Place - 46th Floor, Philadelphia, Pennsylvania, 19103, as attorney(s) for applicant, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith. The authority granted herein shall remain in effect unless otherwise revoked in writing by the undersigned or otherwise terminated.

- 2 -

In addition, the assignee also appoints the following attorneys listed below of **MICROSOFT CORPORATION, One Microsoft Way, Redmond, Washington 98052** with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

**Katie E. Sako**

**Registration No. 32,628**

**Daniel D. Crouse**

**Registration No. 32,022**

Send all future correspondence and address all telephone calls to:

**STEVEN J. ROCCI  
WOODCOCK WASHBURN KURTZ  
MACKIEWICZ & NORRIS LLP  
One Liberty Place - 46th Floor  
Philadelphia, PA 19103  
(215) 568-3100**

**STATEMENT UNDER 37 C.F.R. §3.73(b)**

**MICROSOFT CORPORATION**, a corporation of the **State of Washington**, certifies that it is the assignee of the entire right, title, and interest in the patent application/patent identified above by virtue of:

☒ An assignment from the inventor(s) of the patent application/patent identified above.

☐ 1. The assignment was recorded in the Patent and Trademark Office at Reel

\_\_\_\_\_, Frame(s) \_\_\_\_\_.

- 3 -

☒ 2. The assignment has not yet been recorded. A copy of the assignment is attached.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignees identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee, **MICROSOFT CORPORATION**.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Katie E. Sako  
**Name: KATIE E. SAKO**  
**Title: Assistant Secretary**  
**Corporation: MICROSOFT CORPORATION**

**Date:** 7/30/01

# ASSIGNMENT

WHEREAS, we, Walter L. Kennamer, Christopher J. Weider, and Brian E. Tschumper, (hereinafter referred to as ASSIGNORS), are the joint inventors of an invention entitled Failover of servers over which data is partitioned as described and claimed in the specification forming part of an application for United States letters patent filed herewith;

WHEREAS, Microsoft Corporation (hereinafter referred to as ASSIGNEE), a corporation of the State of Washington having a place of business at One Microsoft Way, Redmond, WA 98052, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE, the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

IN WITNESS WHEREOF, We have hereunto signed our names on the day and year set forth below.

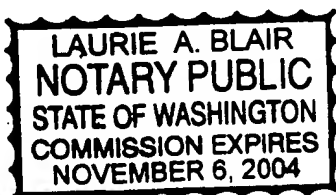
Walter J. Kennamer  
Inventor's Signature

3/15/2001  
DATE

Walter J. Kennamer  
Inventor's Printed Name

STATE OF WASHINGTON )  
 ) SS  
COUNTY OF KING )

On this 15 day of March, 2001, before me personally came the above named Walter J. Kennamer who is personally known by me or proved to me on the basis of satisfactory evidence to be the same individual who executed the foregoing assignment, and who acknowledged to me that he/she executed the same of his/her own free will for the use and purposes therein set forth.

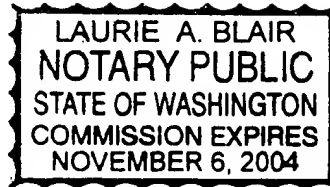


Laurie A. Blair  
NOTARY PUBLIC  
My Commission Expires: November 6, 2004

[Signature]  
Inventor's Signature

Christopher L. Weider  
Inventor's Printed Name

3/15/01  
DATE



STATE OF WASHINGTON                    )  
  ) SS  
COUNTY OF       KING                    )

On this 15 day of March, 2001, before me personally came the above named Christopher L. Weider who is personally known by me or proved to me on the basis of satisfactory evidence to be the same individual who executed the foregoing assignment, and who acknowledged to me that he/she executed the same of his/her own free will for the use and purposes therein set forth.

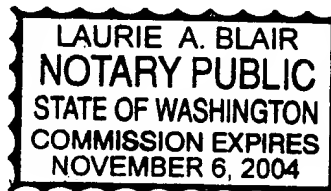
[Signature]  
NOTARY PUBLIC

My Commission Expires: November 6, 2004

[Signature]  
Inventor's Signature

Brian E. Tschumper  
Inventor's Printed Name

3/15/01  
DATE



STATE OF WASHINGTON                    )  
  ) SS  
COUNTY OF KING                        )

On this 15 day of March, 2001, before me personally came the above named Brian E. Tschumper who is personally known by me or proved to me on the basis of satisfactory evidence to be the same individual who executed the foregoing assignment, and who acknowledged to me that he/she executed the same of his/her own free will for the use and purposes therein set forth.

[Signature]  
NOTARY PUBLIC

My Commission Expires: November 6, 2004